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EXAMINER

CHAWAN, SHEELA C

ART UNIT

PAPER NUMBER

2624

MAIL DATE

DELIVERY MODE

05/21/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/635,516

Applicant(s)

MILNE ET AL.

Examiner

Sheela C. Chawan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS; WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-75 is/are pending in the application.
- 4a) Of the above claim(s) 66- 75 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-65 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on 2/26/07 has been entered and made of record.
Claims 53-55 and 66-75 are canceled.
Claims 1 – 52 and 56- 65 are pending in the application.

Response to Argument

2. Applicant's arguments see page 5 of the remarks, filed 2/26/07 with respect to claims 1-5, 7, 9, 11-52 and 56-65 have been fully considered and are persuasive. The rejection of has been withdrawn.

Applicant's arguments see page 12 of the remarks, filed 2/26/07, with respect to claims 1-5, 7, 9, 11-52 and 56-65 under 102(b) rejection have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Fishbine et al., (US.5,467,403).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1- 36, 56-65, are rejected under 35 U.S.C. 102(b) as being anticipated by Fishbine et al., (US.5,467,403).

As to claim 1, Fishbine discloses an identification system comprising:

a housing (fig 1, 10);

a document scanner (fig 1, 12) mounted in said housing and connected to a computing device (fig 1, 36), and

a camera mounted in said housing and connected to said computing device, wherein said document scanner scans documents and supplies images of said documents to said computing device (fig 1, 12) and said camera supplies facial images to said computing device (fig 1, 20, generates photographic images or mug shot of the person being fingerprint, camera 20, in fig 1, also capture a picture of the scene being investigation, column 3, lines 18-51, column 5, lines 1-14).

As to claim 2, Fishbine discloses an identification system according to claim 1 wherein said computing device is removable mounted to said housing (fig 1).

As to claim 3, Fishbine discloses an identification system according to claim 1 wherein said computing device comprises a laptop computer (fig 1, 6 portable identification verification works like laptop computer).

As to claim 4, Fishbine discloses an identification system according to claim 1 further comprising a display connected to said computing device (fig 1, 26).

As to claim 5, Fishbine discloses an identification system according to claim 1 wherein said camera has at least one of pan, zoom, and tilt capabilities (column 6, lines 28-36).

Regarding claim 6, argument analogous those presented for claim 1 are applicable to claim 6. Regarding, an identification system discloses by Fishbine said housing comprises comprising:

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a housing comprising (column 4, lines 38- 58):

an outer shell (fig 5, 52);

a first compartment for housing said document scanner (column 4, lines 30- 58);

and

a second compartment for housing a camera (column 4, lines 30- 58);

As to claim 7, Fishbine discloses an identification system according to claim 1 further comprising:

a fingerprint scanner (fig 1, 18) mounted to said housing (fig 1,10) and connected to said computing device (fig 1, 36), wherein said fingerprint scanner (fig 1, 12) provides fingerprint images to said computing device (fig 1, 36).

As to claim 8, discloses an identification system according to claim 7 wherein said housing comprises (column 4, lines 38- 58):

an outer shell (fig 5, 52);

a first compartment for housing said document scanner (column 4, lines 30- 58);

a second compartment for housing said camera (column 4, lines 30- 58); and

a third compartment for housing said fingerprint scanner (column 4, lines 30- 58).

As to claim 10, Fishbine discloses an identification system according to claim 8 wherein said housing further comprises a handle attached to said outer shell (column 4, lines 23- 29).

As to claim 9, Fishbine discloses an identification system according to claim 8 wherein said housing further comprises:

a compartment for housing said computing device (fig 1,10).

As to claim 11, Fishbine discloses an identification system according to claim 1 wherein said computing device comprises:

- a memory (fig 1, 78);

- a document identification database stored in said computing device (fig 1, 6), said document identification database comprising standard document information (fig1, column 5, lines 1-9); and

- a processor (fig 6, 74);

wherein said processor verifies a document image received from said document scanner against said standard document information in said document identification database (column 5, lines 1-9).

As to claim 12, Fishbine discloses an identification system comprising:

- a computing device (fig 1, 36);

- a document scanner (fig 1, 20) connected to said computing device (fig1, 36);

- a camera connected to said computing device (fig 1, 18); and

- a fingerprint scanner connected to said computing device (fig 1, 12);

wherein said document scanner scans documents and supplies images of said documents to said computing device, said camera supplies facial images (fig 1, 20) to said computing device (fig 1, 20, generates photographic images or mug shot of the person being fingerprint, camera 20, in fig 1, also capture a picture of the scene being investigated, column 3, lines 18-51, column 5, lines 1-14), and said fingerprint scanner scans fingerprints and supplies images of said fingerprints to said computing device (fig 1, 12, column 3, lines 36- 51).

As to claim 13, Fishbine discloses an identification system according to claim 12 wherein said computing device has a network connection to a remote server having access to a document identification database comprising information on a standard document (fig 1, 8 mounted in a mobile unit such as patrol car).

As to claim 14, Fishbine discloses an identification system according to claim 13, wherein said computing device verifies a document image received from said document scanner against said standard document information in said document identification database (column 3, lines 45-51, column 5, lines 1-14).

As to claim 15, Fishbine discloses an identification system according to claim 14 wherein said computing device verifies a document image received from said scanner by its document type based on said standard document information in said document identification database (column 3, lines 45-51, column 5, lines 1- 14).

As to claim 16, see the rejection of claim 11 above.

As to claims 17, 20 and 21 Fishbine discloses an identification system according to claim 12 wherein said computing device comprises:

a memory (fig 6, 78);

a fingerprint database stored in said computing device (column 5, lines 54- 67, column 6, lines 1- 6); and

a processor (fig 6, 74);

wherein said processor verifies a fingerprint received from said fingerprint scanner against said fingerprint database (column 5, lines 1- 12, 54- 65, column 6, lines 1- 6, 60- 67, column 7, lines 1- 4).

As to claim 18, Fishbine discloses an identification system according to claim 12 wherein said document scanner comprises means for capturing an image of a human face from a document having a human face photo (fig 1, 20, column 3, lines 44- 51, column 8, lines 18- 26).

As to claim 19, Fishbine discloses an identification system according to claim 12 wherein said document scanner comprises means for capturing an image of a fingerprint from a document having a fingerprint image (column 3, lines 36- 51, column 5, lines 1- 12, 54- 67, column 6, lines 1-6, 60-67, column 7, lines 1-4).

As to claim 22, Fishbine discloses an identification system according to claim 19 wherein said computing device comprises:

a processor (fig 6, 74);

wherein said processor compares a fingerprint image received from said document scanner against said fingerprint database stored on a remote server (column 3, lines 36- 51, column 5, lines 1- 12, 54- 67, column 6, lines 1-6, 60-67, column 7, lines 1-4).

As to claim 23, see the rejection of claim 22 above.

As to claim 24, Fishbine an identification system according to claim 12 wherein said computing device has a fingerprint database for said fingerprint scanner device, and further a fingerprint scanned by said fingerprint scanner device is identified from said fingerprint database (column 3, lines 36- 51, column 5, lines 1- 12, 54- 67, column 6, lines 1-6, 60-67, column 7, lines 1-4).

As to claim 25, see the rejection of claim 24 above.

As to claim 26, Fishbine an identification system according to claim 12 wherein said computing device has a facial image database for facial matching recognition (column 3, lines 36- 51, column 5, lines 1- 12, 54- 67, column 6, lines 1-6, 60-67, column 7, lines 1-4).

As to claim 27, Fishbine discloses an identification system according to claim 12 wherein said computing device has a network connection to a remote server, and further the said remote server has a facial image database for facial matching recognition (column 3, lines 36- 51, column 5, lines 1- 12, 54- 67, column 6, lines 1-6, 60-67, column 7, lines 1-4, column 8, lines 5- 9).

As to claim 28, Fishbine discloses an identification system according to claim 12 wherein said camera device can take a face picture of a person (fig 1, 28).

As to claim 29, Fishbine discloses an identification system according to claim 28 wherein said computing device has access to a facial image database for facial matching recognition (column 3, lines 36- 51, column 5, lines 1- 12, 54- 67, column 6, lines 1-6, 60-67, column 7, lines 1-4, column 8, lines 5- 9).

As to claim 30, Fishbine discloses an identification system according to claim 29 wherein said face picture taken by said camera device for said person can be used to search through said facial image database for facial matching recognition (column 6, lines 60- 67, column 7, lines 1- 4, column 8, lines 5- 9).

As to claim 31, Fishbine discloses an identification system according to claim 30 wherein said face picture taken by said camera device for said person can be used to search through said facial image database on said remote server for facial matching

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recognition (column 3, lines 36- 51, column 5, lines 1- 12, 54- 67, column 6, lines 1-6, 60-67, column 7, lines 1-4, column 8, lines 5- 9).

As to claim 32, Fishbine discloses an identification system according to claim 29 wherein said human face photo captured by said document scanner device can be used to search through said facial image database for facial matching recognition (column 3, lines 36- 51, column 5, lines 1- 12, 54- 67, column 6, lines 1-6, 60-67, column 7, lines 1- 4, column 8, lines 5- 9).

As to claim 33, Fishbine discloses an identification system according to claim 32 wherein said human face photo captured by said document scanner device can be used to search through said facial image database on said remote server for facial matching recognition (column 5, lines 1-14).

As to claim 34, Fishbine discloses an identification system according to claim 12 wherein said computing device has graphic user interface to said document scanner device (fig 1, 30 and 32), said fingerprint scanner device (fig 1, 12) and said camera device (fig 1, 18), and said graphic user interface can be shown on said display device (fig 1, 26).

As to column 35, Fishbine discloses an identification system according to claim 34 wherein said graphic user interface shows a report of said facial matching recognition (column 3, lines 48- 51, column 9, lines 25- 40).

As to claim 36, Fishbine discloses an identification system according to claim 34 wherein said graphic user interface can show a report of said fingerprint identification result recognition (column 3, lines 48- 51, column 9, lines 25- 40).

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As to claim 56, Fishbine discloses an identity verification system comprising:
means for scanning a facial image on an identification document (fig 1, 20);
means for taking a digital image of a face of said person (fig 1, 20);
means for comparing said scanned facial image to said digital image (column 3, lines 44- 51);

means for comparing said scanned facial image to a facial image database (column 3, lines 44- 51, column 5, lines 1-14);

means for comparing said digital image to said facial image database (column 3, lines 44- 51, column 5, lines 1-14).

As to claims 57-60, Fishbine an identity verification system according to claim 56 further comprising:

means for scanning a fingerprint of said person (fig 1, 20, column 3, lines 44- 51, column 5, lines 1-14); and

means for comparing said scanned fingerprint to a fingerprint database (fig 1, 20, column 3, lines 44- 51, column 5, lines 1-14)).

As to claims 61- 65, Fishbine discloses an identification system according to claim 11 wherein said document identification database is stored in said memory in said computing device (fig 6).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 37-52, are rejected under 35 U.S.C. 103(a) as being unpatentable over Fishbine et al., (US.5,467,403), as applied to claims 1- 36, 56-65, above and further in view of Glaze et al., (US.6,320,974 B1).

Regarding claim 37, Fishbine discloses apparatus for the live scanning of fingerprint images and more particularly to a portable apparatus for the scanning and capture of fingerprint images and the wireless transmission of said images to a central location for identity verification. Fishbine is silent about computing device has a printer port for direct connection to a printer.

Glaze discloses identification systems. More particularly, it relates to a method and apparatus for identifying individuals based on biometric information such as fingerprints and photographs. The system comprises of:

wherein said computing device has a printer port for direct connection to a printer (fig 6, 170).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Fishbine to include wherein said computing device has a printer port for direct connection to a printer). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Fishbine by the teaching of Glaze in order to provide identifying individuals using fingerprint and photographic data (as suggested by Glaze at column 2, lines 16- 19).

As to claim 38, Glaze discloses an identification system according to claim 1 further comprising a power supply (column 7, lines 17-20).

As to claim 39, Glaze discloses an identification system according to claim 38 wherein said power supply comprises an internal power supply (column 7, lines 17-20).

As to claim 40, Glaze discloses an identification system according to claim 38 wherein said power supply comprises an external power supply (column 7, lines 17-20).

As to claim 41, Glaze discloses an identification system according to claim 39 wherein said internal power supply comprises a battery (column 7, lines 17-20).

As to claim 42, Glaze discloses an identification system according to claim 41 wherein said battery is rechargeable (column 7, lines 17-20).

As to claim 43, Glaze discloses an identification system according to claim 12 further comprising a power supply (column 7, lines 17-20).

As to claim 44, Glaze discloses an identification system according to claim 1 wherein said identification system is portable (abstract, column 4, lines 54-67).

As to claim 45, Glaze discloses an identification system according to claim 1 further comprising a light for providing lighting for said camera (column 4, lines 31-40).

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As to claim 46, Glaze discloses an identification system according to claim 1 wherein said camera is mounted on a separate handheld computing device having a CPU, memory and operating system (fig 3, box 70).

As to claim 47 Glaze discloses an identification system according to claim 46 further comprising a wireless connection between said handheld computing device and said computing device (column 5, lines 47- 67, column 6, lines 1-3).

As to claim 48, Glaze discloses an identification system according to claim 46 wherein said camera takes pictures and transfers said pictures to said computing device (column 8, lines 55- 67).

As to claim 49, Glaze discloses an identification system according to claim 48 wherein said transfer can be done through a wireless connection (column 5, lines 52- 67).

As to claim 50, Glaze discloses an identification system according to claim 48 wherein said transfer can be done through a wire line (column 5, lines 52-67).

As to claim 51, Glaze discloses an identification system according to claim 46 wherein there is a light attached to said handheld device for lighting for said camera on said handheld device (fig 4 and 5).

As to claim 52, Glaze discloses an integrated device system according to claim 1 wherein said camera can be detached from said integrated device system with connection with said computing device (fig 4 and 5).

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Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheela C Chawan whose telephone number is. 571-272-7446. The examiner can normally be reached on Monday - Thursday 7.30 - 6.00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on 571-272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sheela Chawan
Patent Examiner
Group Art Unit 2624
May 10 2007


SHEELA CHAWAN
PRIMARY EXAMINER